

ROSALIND R. ROSEMAN
9285 Lapwing Court
Columbia, Maryland 21045

Plaintiff

v.

U.S. AIRWAYS, INC.
210 Greenhill Avenue
Wilmington, Delaware

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE CITY
* Case No.

Serve On: Resident Agent *
The Corporation Trust Incorporated,
300 E. Lombard Street *
Baltimore, Maryland 21202 *

Defendant *

* * * * *

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, Rosalind R. Roseman, by her attorneys, Paul D. Bekman, and Salsbury, Clements, Bekman, Marder & Adkins, LLC, sues U.S. Airways, Inc. ("U.S. Airways"), and states as follows:

1. Plaintiff, Rosalind R. Roseman, is resident of Columbia, Maryland.
2. On or about May 19, 2005, America West Airlines and U.S. Airways merged, and after the merger the combined airlines is known as U.S. Airways.
3. The Defendant, U.S. Airways, is a corporation, having its principal place of business in Wilmington, Delaware. The Defendant, U.S. Airways, regularly transacts business in Baltimore City, Maryland.
4. On or about May 6, 2005, prior to the merger of America West Airlines and U.S. Airways, the Plaintiff Rosalind R. Roseman boarded America West Flight No. 196 at Baltimore

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Washington International Airport as a ticket passenger, traveling to Phoenix, Arizona. Plaintiff was seated in seat 31D, an aisle seat. Once the flight was in the air, a flight attendant who was an employee of America West and who was serving drinks and snacks, opened the overhead luggage compartment above seat 31D. In the process of removing a bag with wheels, the flight attendant lost control of the bag, and it fell downward smashing into the Plaintiff's left arm that was on the arm rest.

5. The Defendant, by and through its employees, was negligent, careless and reckless and in breach of its duty of care to the Plaintiff in that it:

- (a) failed to maintain proper control over the bag being removed from the overhead luggage compartment;
- (b) dropped the bag being removed from the overhead luggage compartment onto the Plaintiff;
- (c) failed to observe the presence and proximity of the Plaintiff while removing the bag from the overhead luggage compartment;
- (d) and was otherwise careless and negligent.

6. As a direct and proximate result of the negligence, recklessness and carelessness of the Defendant, the Plaintiff Rosalind R. Roseman, suffered serious and permanent injuries and severe mental anguish and emotional pain and suffering; whereby she was obliged to receive hospital and medical treatment for which expenses were and will continue to be incurred in the future; whereby she was and will in the future be prevented from engaging in her employment, activities and pursuits; and whereby she was otherwise injured and damaged.

7. Plaintiff says that all of the injuries were caused solely by the actions of the Defendant without any negligence on the part of Plaintiff hereunto contributing.

WHEREFORE, the Plaintiff Rosalind R. Roseman claims the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00) damages from the Defendant, U.S. Airways, Inc., with all costs to be paid by said Defendant.



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